IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
Houston DIVISION

Ava Slaughter	§	
	§	
v.	§	CASE NUMBER: 05cv3455
	§	District Judge: Lake
	§	Court Reporter(s):
Jones Day	§	

NOTICE TO THE CIRCUIT OF AN APPEAL

In connection with this appeal, a copy of the notice of appeal, the order being appealed and the docket sheet are attached. Please acknowledge receipt on the enclosed copy of this notice.

In regard to this appeal:

- The Court of Appeal $455.00 filing and docketing fees have been paid or a motion for in forma pauperis has been granted.

- This case was decided without a hearing – no transcripts.

Michael N. Milby, Clerk

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Fees Pd. Rec. #4580253

IN THE UNITED STATES DISTRICT COURT
OF THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

MAR 27 2007

Michael N. Milby, Clerk

AVA SLAUGHTER,	§	
	§	
Plaintiff,	§	
	§	
v.	§	**Cause No. H-05-3455**
	§	
JONES DAY,	§	
	§	
Defendant.	§	**A jury is requested**

PLAINTIFF SLAUGHTER'S NOTICE OF APPEAL

Plaintiff Ava Slaughter now gives notice that she is appealing the Final Judgment entered in this matter on February 28, 2007, denying the motion for new trial and for reconsideration of the order of summary judgment granted in favor of Defendant, Jones Day. This appeal is to the United States Court of Appeals for the Fifth Circuit.

Respectfully submitted,

Thomas H. Padgett, Jr.
SBOT: 15405420
The Isis Theatre Building
1004 Prairie, Suite 300
Houston, Texas 77002
Ph: 713-623-8116
Fax: 713-623-0290
Attorneys for Plaintiffs/Appellant

OF COUNSEL:

BAKER & PATTERSON, L.L.P.

CERTIFICATE OF SERVICE

This certifies that a true and correct copy of this document was served, by United States Mail, postage prepaid, properly addressed, on this 27th day of March 2007, as follows:

Shauna Johnson Clark
Fulbright & Jaworski
1301 McKinney, Suite 5100
Houston, Texas 77010

Thomas H. Padgett, Jr.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

AVA SLAUGHTER,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-05-3455
	§	
JONES DAY,	§	
	§	
Defendant.	§	
	§	

PROPOSED ORDER

The Court has considered the Motion for New Trial and Motion for Reconsideration submitted by Plaintiff Ava Slaughter. Having reviewed the motion and Defendant Jones Day's response to such motion, the Court is of the opinion that good cause exists for denying the Motion for New Trial and Motion for Reconsideration. It is therefore,

ORDERED that Plaintiff's Motion for New Trial and Motion for Reconsideration is DENIED.

~~Further, it is ORDERED that Plaintiff Ava Slaughter pay Defendant Jones Day's taxable costs in the amount of $3,497.18~~.

SIGNED this 28th day of FEBRUARY, 2007.

THE HONORABLE SIM LAKE
UNITED STATES DISTRICT JUDGE

APPEAL, CLOSED

U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Houston)
CIVIL DOCKET FOR CASE #: 4:05-cv-03455
Internal Use Only

Slaughter v. Jones Day Assigned to: Judge Sim Lake Case in other court: 152nd JDC of Harris County, 05-57372 Cause: 28:1442 Petition for Removal	Date Filed: 10/07/2005 Date Terminated: 01/11/2007 Jury Demand: Plaintiff Nature of Suit: 442 Civil Rights: Jobs Jurisdiction: Federal Question

Plaintiff

Ava Slaughter	represented by	**Thomas H Padgett, Jr** Baker & Patterson LLP The Isis Theatre Building 1004 Prairie Ste 300 Houston, TX 77002 713-623-8116 Fax: 713-623-0290 Email: tpadgett@bakpatlaw.com *LEAD ATTORNEY* *ATTORNEY TO BE NOTICED*

V.

Defendant

Jones Day	represented by	**Shauna Johnson Clark** Fulbright Jaworski 1301 McKinney Ste 5100 Houston, TX 77010 713-651-5601 Fax: 713-651-5246 Email: sclark@fulbright.com *LEAD ATTORNEY* *ATTORNEY TO BE NOTICED* **Kelley Riddle Edwards** Fulbright Jaworski 1301 McKinney Ste 5100 Houston, TX 77010 713-651-3665 Fax: 713-651-5246 Email: kredwards@fulbright.com

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/07/2005	1	NOTICE OF REMOVAL from 152th JDC of Harris County, case number 2005-57372 (Filing fee $ 250) filed by Jones Day.(hlerma,) Additional attachment(s) added on 10/13/2005 (ltien,). (Entered: 10/07/2005)
10/07/2005	2	ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 1/6/2005 at 03:00 PM in Courtroom 9B before Judge Sim Lake. (Signed by Judge Sim Lake) Parties notified. (hlerma,) (Entered: 10/07/2005)
10/07/2005		PARTIAL Filing fee re: 1 Notice of Removal: $ 150.00, receipt number 562115 , filed. (agould,) (Entered: 10/11/2005)
10/11/2005		PARTIAL Filing fee re: 1 Notice of Removal: $ 100.00, receipt number 562122 , filed. (agould,) (Entered: 10/11/2005)
10/19/2005	3	Amended ORDER for Initial Pretrial and Scheduling Conference and Order to Disclose Interested Persons. Initial Conference set for 1/6/2006 at 03:00 PM in Courtroom 9B before Judge Sim Lake. (Signed by Judge Sim Lake) Parties notified. (smurdock,) Modified on 10/19/2005 (smurdock,). (Entered: 10/19/2005)
12/29/2005	4	JOINT DISCOVERY/CASE MANAGEMENT PLAN by Ava Slaughter, Jones Day, filed.(rroberts,) (Entered: 01/03/2006)
12/29/2005	5	CERTIFICATE OF INTERESTED PARTIES by Jones Day, filed. (rroberts,) (Entered: 01/03/2006)
01/06/2006	6	MINUTE ENTRY ORDER: Scheduling Conference held. Docket Control Order entered. Shauna Johnson Clark, Thomas H Padgett, Jr. Ct Reporter: C. Barron .(Signed by Judge Sim Lake) Parties notified. (hcarr,) (Entered: 01/09/2006)
01/06/2006	7	SCHEDULING ORDER: Amended Pleadings due by 3/3/2006. Joinder of Parties due by 3/3/2006. Pltf Identification of Experts and Expert Report due by 7/28/2006. Deft Identification of Experts and Expert Report due by 9/22/2006. Discovery due by 11/22/2006. Non-Dispositive Motion Filing due by 11/10/2006. Joint Pretrial Order due by 12/1/2006. Docket Call set for 12/8/2006 at 04:00 PM in Courtroom 9B before Judge Sim Lake.(Signed by Judge Sim Lake) Parties notified.(hcarr,) (Entered: 01/09/2006)
07/10/2006	8	Letter from Thomas Badgett, Jr. re: Request to the Court to Order Production of Investigation , filed. (bgoolsby,) (Entered: 07/11/2006)
07/24/2006	9	MOTION to File Amended Complaint by Ava Slaughter, filed. Motion Docket Date 8/14/2006. (Attachments: # 1 Exhibit 1 # 2 Exhibit 2 # 3 Proposed Order)(mmarch,) (Entered: 07/25/2006)

07/31/2006	10	RESPONSE in Opposition to 9 MOTION to File Amended Complaint, filed by Jones Day. (Edwards, Kelley) (Entered: 07/31/2006)
08/01/2006	11	REPLY to Opposition to 9 MOTION to File Amended Complaint, filed by Ava Slaughter. (jbradford,) (Entered: 08/02/2006)
08/07/2006	12	ORDER granting 9 Motion for leave to file amended complaint. Plaintiff to file an Amended Complaint within five (5) days of entry of this order. (Signed by Judge Sim Lake) Parties notified.(hcarr,) (Entered: 08/07/2006)
08/07/2006	13	First AMENDED Complaint with jury demand against Jones Day filed by Ava Slaughter. Related document: 1 Notice of Removal filed by Jones Day.(cpeebles) (Entered: 08/08/2006)
08/18/2006	14	ANSWER to Amended Complaint by Jones Day, filed.(Edwards, Kelley) (Entered: 08/18/2006)
10/18/2006	15	NOTICE of Change of Address by Thomas H. Padgett, Jr., counsel for Ava Slaughter, filed. (ghassan) (Entered: 10/20/2006)
11/10/2006	16	MOTION for Summary Judgment by Jones Day, filed. Motion Docket Date 11/30/2006. (Attachments: # 1 Index of Exhibits# 2 Exhibit A part 1# 3 Exhibit A part 2# 4 Exhibit A part 3# 5 Exhibit B part 1# 6 Exhibit B part 2# 7 Exhibit C# 8 Exhibit D# 9 Exhibit E# 10 Exhibit F# 11 Exhibit G# 12 Exhibit H# 13 Exhibit I# 14 Proposed Order)(Edwards, Kelley) (Entered: 11/10/2006)
11/22/2006	17	MOTION to Continue Joint Pretrial Order Deadline and Docket Call by Jones Day, filed. Motion Docket Date 12/12/2006. (Attachments: # 1 Proposed Order)(Edwards, Kelley) (Entered: 11/22/2006)
11/27/2006	18	ORDER granting 17 MOTION to Continue Joint Pretrial Order Deadline and Docket Call, Deadlines terminated. Docket Call will be reset after the Court has ruled on Defendant's Motion for Summary Judgment.(Signed by Judge Sim Lake) Parties notified.(hcarr,) (Entered: 11/27/2006)
12/01/2006	19	RESPONSE in Opposition to 16 MOTION for Summary Judgment, filed by Ava Slaughter. (Attachments: # 1 Exhibit # 2 Exhibit # 3 Exhibit # 4 Exhibit # 5 Exhibit # 6 Exhibit # 7 Continuation # 8 Continuation) (ejuarez,) (Entered: 12/07/2006)
12/01/2006	20	MOTION to Correct by Ava Slaughter, filed. Motion Docket Date 12/21/2006. (Attachments: # 1 Proposed Order)(ejuarez,) (Entered: 12/07/2006)
12/11/2006	21	REPLY in Support of 16 MOTION for Summary Judgment, 20 MOTION to Correct, filed by Jones Day. (Attachments: # 1 Proposed Order)(Edwards, Kelley) (Entered: 12/11/2006)
01/11/2007	22	MEMORANDUM OPINION AND ORDER Granting 16 MOTION for Summary Judgment.(Signed by Judge Sim Lake) Parties notified. (hcarr,) (Entered: 01/11/2007)

01/11/2007	23	FINAL JUDGMENT. Case terminated on 1/11/2007.(Signed by Judge Sim Lake) Parties notified.(hcarr,) (Entered: 01/11/2007)
01/23/2007	24	BILL OF COSTS in total amount $3,497.18 by Jones Day, filed. (Attachments: # 1 Exhibit A to Bill of Costs)(Edwards, Kelley) (Entered: 01/23/2007)
01/26/2007	25	MOTION for New Trial, MOTION for Reconsideration of 23 Final Judgment by Ava Slaughter, filed. Motion Docket Date 2/15/2007. (ltrevino,) Additional attachment(s) added on 1/29/2007 (ltrevino,). (Entered: 01/29/2007)
02/09/2007	26	RESPONSE in Opposition to 25 MOTION for New Trial MOTION for Reconsideration of 23 Final Judgment, filed by Jones Day. (Attachments: # 1 Proposed Order)(Edwards, Kelley) (Entered: 02/09/2007)
02/28/2007	27	ORDER denying 25 Motion for New Trial; denying 25 Motion for Reconsideration.(Signed by Judge Sim Lake) Parties notified.(hcarr,) (Entered: 02/28/2007)
03/27/2007	28	NOTICE OF APPEAL to US Court of Appeals for the Fifth Circuit re: 27 Order on Motion for New Trial, Order on Motion for Reconsideration by Ava Slaughter (Filing fee $ 455), filed.(ltrevino,) (Entered: 03/28/2007)
03/27/2007		USCA Appeal Fees received $ 455.00, receipt number 580253 re: 28 Notice of Appeal, filed.(agould,) (Entered: 03/28/2007)
03/28/2007	29	CLERKS NOTICE on Mandatory Electronic Filing re: 28 Notice of Appeal. Parties notified, filed. (ltrevino,) (Entered: 03/28/2007)